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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: **Jed FAHEY, et al.**  
Title: ***Cancer Chemoprotective Food Products***  
Appl. No.: **09/825,989**  
Filing Date: **April 5, 2001**  
Examiner: **Cybillie Delacroix-Muirhei**  
Art Unit: **1614**

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

**MAIL STOP AF**  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals from the decision of the final rejection dated January 16, 2003, of the Examiner finally rejecting Claims 58-60, 62, 63, and 68-70.

- ☒ [ X ] Applicant claims small entity status.
- ☒ [ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
- ☒ [ X ] Notice of Appeal Fee
- ☒ [ X ] To be paid as detailed below
- ☐ [ ] Not required (Fee paid in prior appeal)

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The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$320.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$930.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1250.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$625.00
	TOTAL FEE:	\$625.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$.00 . A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$625.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

July 16, 2003

By

Richard C. Peet

FOLEY &amp; LARDNER

Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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